

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Feit Electric Company, Inc.

Plaintiff,

v.

Beacon Point Capital, LLC

Defendant.

Case No. 1:13-cv-09339

Hon. Judge: Sharon J. Coleman

Mag. Judge: Sidney I. Schenkier

**DECLARATION OF EMILY L. SAVAS IN SUPPORT OF FEIT ELECTRIC  
COMPANY, INC.'S MOTION FOR SUMMARY JUDGMENT THAT THE PATENTS-  
IN-SUIT ARE UNENFORCEABLE FOR INEQUITABLE CONDUCT**

I, **EMILY L. SAVAS**, at attorney duly admitted to practice law in the State of Illinois, hereby affirm under penalty of perjury as follows:

1. I serve as one of the counsel for Feit Electric Company, Inc. in this matter. I submit this declaration in support of Feit's Motion for Summary Judgment That the Patents-in-Suit are Unenforceable for Inequitable Conduct. I have knowledge of the following, and if called as a witness, could testify competently thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 5,757,140, titled Electronic Ballast with Frequency Control, dated May 26, 1998.

3. Attached hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 5,164,637 titled Power Supply for Gas Discharge Lamps, dated November 17, 1992.

4. Attached hereto as Exhibit 3 is a true and correct copy of the prosecution history for U.S. Patent Application No. 07/851,887, filed March 16, 1992.

5. Attached hereto as Exhibit 4 is a true and correct copy of the prosecution history for U.S. Patent Application No. 07/819,655 filed January 13, 1992.

6. Attached hereto as Exhibit 5 is a true and correct copy of the prosecution history for U.S. Patent Application No. 07/643,023, filed January 18, 1991.

7. Attached hereto as Exhibit 6 is a true and correct copy of the prosecution history for U.S. Patent Application No. 06/787,692, filed October 15, 1985.

8. Attached hereto as Exhibit 7 is a true and correct copy of the prosecution history for U.S. Patent Application No. 06/644,155, filed Aug 27, 1984.

9. Attached hereto as Exhibit 8 is a true and correct copy of the prosecution history for U.S. Patent Application No. 06/555,426, filed November 23, 1983.

10. Attached hereto as Exhibit 9 is a true and correct copy of the prosecution history for U.S. Patent Application No. 06/178,107, filed August 14, 1980.

11. Attached hereto as Exhibit 10 is a true and correct copy of the prosecution history for U.S. Patent Application No. 05/973,741, filed December 28, 1978.

12. Attached hereto as Exhibit 11 is a true and correct copy of the prosecution history for U.S. Patent Application No. 05/890,586, filed March 20, 1978.

13. Attached hereto as Exhibit 12 is a true and correct copy of the prosecution history of U.S. Patent Application No. 07/743,216, filed August 9, 1991.

14. Attached hereto as Exhibit 13 is a true and correct copy of a document dated February 18, 1993 titled "THE EPSILON PROJECT" drafted by Ole K. Nilssen and sent to Advance Transformer Co.

15. Attached hereto as Exhibit 14 is a true and correct copy of an Agreement between Ole K. Nilssen and Advance Transformer Co. dated August 22, 1991.

16. Attached hereto as Exhibit 15 is a true and correct copy of a letter dated March 6, 1991 from Ole K. Nilssen to Robert W. Wisbey of Advance Transformer Co.

17. Attached hereto as Exhibit 16 is a true and correct copy of *Ole K. Nilssen and Geo Foundation, Ltd. v. Osram Sylvania, Inc. and Osram Sylvania Products, Inc.*, 440 F.Supp.2d 884, 895 (N.D. Ill. 2006) (“Osram I”).

18. Attached hereto as Exhibit 17 is a true and correct copy of the Transcript of Proceedings from *Ole K. Nilssen, et al. v. Osram, Sylvania, Inc.*, Case No. 01-cv-3585-JWD (N.D. Ill. 2006) dated February 6, 2006.

19. Attached hereto as Exhibit 18 is a true and correct copy of the Transcript of Proceedings from *Ole K. Nilssen, et al. v. Osram, Sylvania, Inc.*, Case No. 01-cv-3585-JWD (N.D. Ill. 2006) dated February 8, 2006.

20. Attached hereto as Exhibit 19 is a true and correct copy of the Transcript of Proceedings from *Ole K. Nilssen, et al. v. Osram, Sylvania, Inc.*, Case No. 01-cv-3585-JWD (N.D. Ill. 2006) dated February 9, 2006.

21. Attached hereto as Exhibit 20 is a true and correct copy of the Transcript of Proceedings from *Ole K. Nilssen, et al. v. Osram, Sylvania, Inc.*, Case No. 01-cv-3585-JWD (N.D. Ill. 2006) dated February 10, 2006.

22. Attached hereto as Exhibit 21 is a true and correct copy of the Transcript of Proceedings from *Ole K. Nilssen, et al. v. Osram, Sylvania, Inc.*, Case No. 01-cv-3585-JWD (N.D. Ill. 2006) dated February 13, 2006.

23. Attached hereto as Exhibit 22 is a true and correct copy of the Transcript of Proceedings from *Ole K. Nilssen, et al. v. Osram, Sylvania, Inc.*, Case No. 01-cv-3585-JWD (N.D. Ill. 2006) dated February 14, 2006.

24. Attached hereto as Exhibit 23 is a true and correct copy of a diagram illustrating the earliest eligible priority date for U.S. Patent No. 5,757,140.

25. Attached hereto as Exhibit 24 is a true and correct copy of a diagram illustrating the false priority claim made by Nilssen in his sworn Oath submitted during the prosecution of U.S. Application No. 07/851,887, which issued as U.S. Patent No. 5,757,140.

26. Attached hereto as Exhibit 25 is a true and correct copy of a diagram illustrating the priority claim submitted in the specification of U.S. Application No. 07/851,887, which issued as U.S. Patent No. 5,757,140 as compared to the claim of priority submitted during the prosecution of U.S. Patent Application No. 07/743,216, filed August 9, 1991, which issued as U.S. Patent No. 5,164,637.

27. Attached hereto as Exhibit 26 is a true and correct copy of an excerpt from the Manual of Patent Examining Procedure, Fifth Ed. Revision 12, Published July 1989.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that this declaration was executed on February 3, 2016 in Chicago, Illinois.

/s/ Emily L. Savas

Emily L. Savas (IL 6319473)  
Wasim K. Bleibel (IL 6305498)

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